



MISSOURI DENTAL BOARD NEWSLETTER

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MISSION OF THE BOARD

The Missouri Dental Board exists to protect and serve the public's interests in dentistry and to preserve the integrity of the dental profession.

PRESIDENT'S MESSAGE



Rolfe C. McCoy, D.M.D.
President

The Missouri Dental Board has seen some very significant changes in recent months. In the 2000 session, the Missouri Legislature created the Advisory Commission for Dental Hygienists. This is a five-member commission composed of dental hygienists appointed by the Governor. Governor Holden appointed the first commission members in April. More information regarding the members of

the commission is highlighted later in this issue of the newsletter. The Board welcomes the new Advisory Commission and we look forward to a productive working relationship serving the interests of the public.

Another significant change is the biennial renewal this year for dentists and dental hygienists licenses. This is also the end of the continuing education time block for hours earned December 1, 1999-November 30, 2002. This means that dentists and dental hygienists must report their continuing education hours this year during renewal for that time block. Beside the fact that we will be renewing for a two-year period this year, we also have to complete a new form and submit it with our renewal application. It is called the "Continuing Education Reporting Form". The problem with the reporting form for many licensees was the recording of three years of continuing education information at one time. To eliminate that concern in the future, we have included the continuing education reporting form for the next time block on our web site. It is a downloadable document that you can print on your computer and begin using immediately. Since we are renewing our licenses for a two-year period, the continuing education time block has been reduced from a three-year period to a two-year period. The next continuing education time block will begin on December 1, 2002 and end on November 30, 2004. Dentists must earn fifty (50) hours of approved continuing education and dental hygienists must earn thirty (30) hours of approved continuing education during this time period in order to qualify for renewal in 2004.

We also have a new member on the Missouri Dental Board. Dr. Eric J. Aubert from St. Louis was appointed to the Board by

Governor Holden on September 13, 2002 to replace Dr. Oswald Thomas. The Board welcomes Dr. Aubert and the public service contributions he brings with him to the Board. We also want to take this opportunity to thank Dr. Oswald Thomas for his many years of dedicated service. Thank you Dr. Thomas and best of luck in your future endeavors.

With Dr. Aubert's appointment, we recognize that the composition of the Board could change again in the next few months. In November, Dr. Guy Deyton was installed as the new President of the Missouri Dental Association. Although Dr. Deyton's term on the Missouri Dental Board expired October 16, 2002, he will serve until his successor is appointed. We anticipate that that will be soon since his duties with the Association may occupy much of his spare time.

I will be serving as President of the Missouri Dental Board this next year. During my time on the Board, I've found the work very challenging but also a very rewarding experience. Our primary responsibility is the protection of the public but we also work hard to further excellence in oral health care for all Missouri citizens. I look forward to hearing from you in the months to come.

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MESSAGE FROM DIVISION DIRECTOR

My office has been working diligently, through team input and much planning, to develop an optical imaging system that will meet the needs of the Division. I'm glad to report that we have implemented the new optical imaging system and the boards have been trained on how to use the system. They are now using the system and have the ability to scan daily mail received or other paper files and documents maintained in the board office. The boards will each determine what documents are to be scanned.



Marilyn Taylor Williams
Division Director

We also held the 2002 Board Member Orientation and Update. The event was held September 25 - 26 and was a great success. We had 150 attendees and covered many topics of interest to the boards.

Please stay tuned as we continue to improve the services provided by the Division.

NEW BOARD APPOINTEE



Eric J. Aubert, D.M.D.

On September 13, 2002, Governor Holden appointed Dr. Eric J. Aubert of St. Louis to replace Dr. Oswald Thomas on the Missouri Dental Board. Dr. Aubert earned his Bachelor of Science degree from Tulane University in New Orleans, Louisiana, in 1982 and received his Doctor of Dental Medicine degree from Southern Illinois University in 1986. Dr. Aubert served a one-year general practice residency at St. Mary's Hospital in East St. Louis, Illinois in 1986-87. Since 1988, Dr. Aubert has been in private practice in St. Louis. He has served on the Board of Advisory Directors for Allegiant Bank in St. Louis, served on the Parish Council Board of St. Joseph Catholic Church in East St. Louis, Illinois, and served on the Quality Assurance Board at Transworld Airlines. Dr. Aubert is currently serving on the Board of Police Commissioners in Maryland Heights, he is a Trustee at The Wilson School in Clayton, and he is a Trustee at the People Health Center in St. Louis. Dr. Aubert is a member of the American Dental Association, the Missouri Dental Association, and the Greater St. Louis Dental Society. He is married and has two children. His wife is Detra and his two children are Jason and Jasmine.

ADVISORY COMMISSION FOR DENTAL HYGIENISTS

On April 4, 2002, Governor Holden appointed the first ever Missouri Advisory Commission for Dental Hygienists. We are pleased and honored to introduce the first appointed members of the Commission.



Tia Marie Strait, R.D.H.

Tia is from Carthage, Missouri. She is currently employed as Dean of The School of Technology at Missouri Southern State College. Tia has been employed by Missouri Southern since 1991, first as an instructor and then as an assistant professor and assistant dean. She received her Associates degree in Dental Hygiene in 1985 and a Bachelor's degree in 1993 from Missouri Southern. She went on to get her Master's degree in Human Resource Development in 1996 from Pittsburg State University. In 2001, Tia received her Doctorate degree in Higher Education Administration from Saint Louis University. Tia has twelve years of clinical experience in dental hygiene and is a member of the American Dental Hygienists' Association and the Missouri Dental Hygienists' Association. She is also a member of the Sigma Phi Alpha National Dental Hygiene Honor Society. Tia has been a licensed dental hygienist in the State of Missouri since 1985. She is certified to administer nitrous oxide analgesia and local anesthesia (block and infiltration). Tia is currently serving as the chairperson of the Advisory Commission for Dental Hygienists.



Frances E. Tourdot, R.D.H.

Fran is from Camdenton, Missouri. She is currently on faculty at St. Louis Community College through their distance education program for Dental Hygiene in Rolla, Missouri. Fran graduated from the dental hygiene program at Loyola University Dental School. She received her Bachelor of Science degree in Psychology from Drury University. Fran is a member of the American Dental Hygienists' Association and the Missouri Dental Hygienists' Association. She is also a member of the Women's Leadership Exchange Program to the Royal Government of Thailand from the University of Missouri. Fran has devoted many years to public service and she was the first dental hygienist in Illinois to work, with special permission, under general supervision. She has been a licensed dental hygienist in the State of Missouri since 1983 and is certified to administer nitrous oxide analgesia and infiltration anesthesia.

Tadd is from Kansas City, Missouri. He graduated with a Bachelor of Arts Degree in Social Science from Concordia College in St. Paul, Minnesota in 1992. In 1999, he graduated with a Bachelor of Science degree in Dental Hygiene from the University of Missouri-Kansas City School of Dentistry. Tadd also served in the United States Army from 1984 to 1987 where his job as a Communications Specialist took him to Ft. Sill, Oklahoma, and to Ft. Bragg, North Carolina. Tadd has been a licensed dental hygienist in Missouri since 1999 and is currently employed by the Veteran's Administration. He is certified to administer nitrous oxide analgesia and local anesthesia (block and infiltration). Tadd's wife Julie is also a licensed dental hygienist. He is serving as the Advisory Commission's secretary.



Tadd S. Greenfield, R.D.H.

Deborah is from Jackson, Missouri. She graduated from Illinois Central College in 1978 with an Associate of Applied Science in Dental Hygiene. Deborah expects to complete her Baccalaureate degree from the University of Missouri-Kansas City this fall. In addition to her full time employment as a dental hygienist, Deborah coordinates school-based dental sealant programs in Southeast Missouri. This fall she will be a part-time faculty member in the Dental Hygiene program at Forest Park Community College in St. Louis. She is a member of the American Dental Hygienists' Association and is a member and past president of the Missouri Dental Hygienists' Association. In 2001, the Missouri Dental Hygienists' Association awarded Deborah the Dental Hygienist of the Year recognition. Deborah has been a licensed dental hygienist since August of 1978. She is also certified to administer nitrous oxide analgesia and local anesthesia (block and infiltration).



Deborah L. Gerecke, R.D.H.

Continued on Page 4

ADVISORY COMMISSION FOR DENTAL HYGIENISTS (Continued)



Patricia A. Lepp, R.D.H.

Pat is from St. Louis, Missouri. She is the dental hygienist member of the Missouri Dental Board and by law became a member of the Advisory Commission upon its creation. Pat received her Associate degree in Dental Hygiene from Southern Illinois University in Carbondale, Illinois. Pat is certified to administer nitrous oxide analgesia and local anesthesia (block and infiltration).

She is employed as a dental hygienist with the Sunset Hills Dental Group in St. Louis. Pat is currently serving as Secretary of the Missouri Dental Board and sits on the Board's Policy Review Committee. She is also the Board's representative on the Dental Well-Being Committee as well as the CRDTS Examination Review Committee for dental hygienists.

TEST YOUR KNOWLEDGE

Are you up to date on the requirements of the Dental Practice Act and the Regulations of the Missouri Dental Board? The Board encourages you to take this test during your break or a staff meeting.

1. Terms implying non-specialty interest areas, such as cosmetic dentistry, implantology, implant dentistry and TMJ therapy, cannot be used in any advertising unless the advertisement contains the appropriate disclaimer.

- A. True
- B. False

2. Any advertisement containing terms denoting a recognized specialty, or other descriptive terms carrying the same meaning, by a dentist not licensed in the advertised specialty is considered false, misleading or deceptive unless the advertisement contains the appropriate disclaimer.

- A. True
- B. False

3. Under general supervision, the dentist need not be in the treatment facility for a dental hygienist to perform a procedure on a patient of record and the patient need not be informed that the dentist is not in the treatment facility.

- A. True
- B. False

4. Each licensee shall retain records documenting his/her completion of the required hours of approved continuing education for a minimum of six (6) years after the reporting period in which the continuing education was completed.

- A. True
- B. False

5. A license not renewed on or before November 30th is expired. A dentist or dental hygienist may practice in Missouri for a period of sixty days on an expired license by paying the penalty fee for late renewal.

- A. True
- B. False

6. The Board can pursue disciplinary action against a dentist if he/she fails to maintain his or her office or offices, laboratory, equipment and instruments in a safe and sanitary condition.

- A. True
- B. False

7. Upon the relocation or cessation of a dental practice, the treating dentist, within thirty (30) days, shall notify all his/her patients with unfinished services or treatments of their rights for a refund for the unfinished treatment or to have the treatment completed by another dentist of their choice for no additional fee.

- A. True
- B. False

8. All fees paid to the Missouri Dental Board are non-refundable.

- A. True
- B. False

9. A licensee may carry over excess continuing education hours from one time block to the next time block. The excess hours cannot exceed twenty-five for dentists and fifteen for dental hygienists.

- A. True
- B. False

10. A dentist or dental hygienist can reinstate his/her license within five years of its expiration.

- A. True
- B. False

See Answers on Page 7.

MEDICAL RECORDS RELEASE LAW

The Board office still receives many telephone inquiries regarding a dentist's obligation to release patient medical records. State law requires all physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state to, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his/her record of that patient's health history and treatment rendered to the person submitting the written request. The record must be released within a reasonable time of the request and upon payment of a handling fee of fifteen dollars (\$15.00) plus a fee of thirty-five cents (\$.35) per page for copies of documents made on a standard photocopy machine. The dentist can also charge for the reasonable cost of all duplications of medical record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine. We are often questioned as to what a reasonable fee is for copying x-rays. We don't know the answer to that question. Copying costs could vary depending on the circumstances (size and quantity). Since the statute authorizes a handling fee, we assume that the legislature intended the copying fees to be as close to actual costs as possible.

There are no exceptions to the law regarding the release of medical records after the written request is received and the fees are paid. We are sometimes questioned about whether the dentist is obligated to release the medical records when there is a balance due on the patient's account. The answer is "yes". The dentist cannot hold records because the patient has not paid his/her bill if the written request is received and the fees paid. Violations of this law could result in disciplinary action.

TIPS FOR AVOIDING COMPLAINTS

In Fiscal Year 2002 (July 1, 2001-June 30, 2002), the Board received 140 new complaints. This is only slightly above the number received in Fiscal Year 2001, in which 135 new complaints were received, but a significant number nonetheless. There are recurring themes in complaints received by the Board. The Board is always sensitive and understanding of the daily rigors encountered in the practice of dentistry and as such takes caution not to overburden licensees with excessive or non-jurisdictional regulations. Following are a few tips that are worth reviewing regularly and should assist the licensee in preventing complaints being filed by frustrated and/or angry patients.

- ◆ Train front-office personnel in providing information to

your patients and potential patients in a friendly and courteous manner. Be sure they understand the importance of confidentiality. Also, any discussions about fees should include caveats about any additional services that may need to be performed. For instance, if a potential patient calls wanting to know the cost of an extraction, the caller should also be advised that there may be other services and fees required, such as for examination and x-rays.

- ◆ Provide patients with a written copy of your office procedures including fees, payment expectations, insurance filings, and management of pediatric patients, cancellation policies and patient responsibilities.
- ◆ Be specific with patients regarding the treatment plan and procedures that you will be following and the meaning of various terms.
- ◆ Document in the patient record that you have discussed the treatment plan, various options and risks with the patient and have answered the patient's questions. With some procedures, a signed consent form is appropriate prior to starting treatment. **Do not perform any procedure without the patient's permission.**
- ◆ Discuss fees frankly with patients prior to performing service. Many complaints have a component of financial dissatisfaction. If your patient has insurance, inform them that even prior authorization of benefits are non-binding and ultimately they will be responsible for your fee.
- ◆ Document all procedures performed, anesthesia administered, x-rays taken, treatment complications, etc. in the patient record. If it isn't documented, it didn't happen! Documentation is your best defense. No one has ever been disciplined by the Board for over documenting.
- ◆ If in doubt about your diagnosis or treatment plan, consult with a colleague or a specialist.
- ◆ If a patient is dissatisfied with the treatment received, or the outcome, discuss their concerns with them personally and immediately. Do not be defensive, listen to the patient's concerns and work with them for a mutually acceptable outcome.
- ◆ Make sure that everyone in your practice who is required to have a license or permit has the appropriate current license or permit and that it is posted where patients can see it. If a license has expired, not only can the holder of the license be disciplined; the doctor can also be disciplined for allowing an unlicensed person to practice.
- ◆ Graduation from dental school or dental hygiene school is only the starting point in your education. Continuing education is important to your professional competency. The Board requires that every dentist earn fifty hours of continuing education during each two-year time block. Dental hygienists are required to earn thirty hours of continuing education during each two-year time block. There are specific requirements regarding the subject areas that qualify as meeting the Board's continuing education requirements. Be familiar with these, as well as all other Board requirements.

DISCIPLINARY ACTIONS

The following report on disciplinary actions is for the period April 1, 2002 through October 31, 2002. The report typically includes several provisions in its orders, which may not be summarized here. Although great care has been taken to ensure accuracy of the information provided hereafter, inadvertent errors may appear, and no entity should initiate any adverse action against a dentist, dental specialist, or dental hygienist based solely on the following information. Rather, the reader should request a copy of the Board's Order prior to making any decisions affecting licensees. This listing may not reflect appeals filed after the publication of this newsletter.

Zahra A. Huq, D.M.D., license number 013864, of St. Louis was placed on probation for five years effective from May 13, 2002 - May 12, 2007, for violations of Section 332.321.2 (5) and (13).

Gale B. Lilley, D.D.S., license number 010827, of Jefferson City, voluntarily surrendered his license upon an order effective May 15, 2002, for violation of Section 332.321.2 (2), (5), and (13).

Scott A. Schlagenhauff, D.D.S., license number 015649, of Columbia, was placed on probation for five years from May 31, 2002 - May 30, 2007, for violations of Section 332.321.2 (1), (5), (6), (13), and (15), RSMo 2000.

Tearl J. Tillery, D.D.S., license number 012330, of Poplar Bluff, was placed on probation from July 29, 2002 - December 20, 2002, for violations of Section 332.321.2 (3), (5), and (6).

Dean O. Cansler, D.D.S., license number 010645, of Marshfield, was placed on probation effective from July 29, 2002 - January 5, 2005, for violations of Section 332.321.2 (3), (5), and (6).

Michael D. Frede, D.D.S., license number 013703, of St. Louis, was placed on suspension for thirty days beginning on July 30, 2002 - August 29, 2002, followed by probation for five years ending on August 29, 2007, for violations of 332.321, RSMo 1994

Vernon E. Rice, D.D.S., license number 010378, of Kansas City, was revoked effective August 1, 2002, for violations of Section 332.321.2 (2).

Michael Wattles, D.M.D., license number 015163, of St. Peters, was placed on probation from October 23, 2002 - October 22, 2005, for violations of Section 332.321.2 (3), (5), (6), (11), and (13).

REPORTING A CHANGE OF ADDRESS

There seems to be a recurring problem with licensees notifying the Board office of changes in their mailing address. Board Rule 4 CSR 110-2.175 requires licensees to keep the Board informed of their legal name, mailing address and telephone number. Any change must be reported to the Board, in writing, within thirty (30) days.

By not keeping your mailing address current you will not receive mailings with important licensure information. Whenever your mailing address changes, just fax us a notice with your current address. Our fax number is 573-751-8216. Failure to notify the Board of a current mailing address within thirty (30) days is a violation of the Board's rule and a violation of any Board rule is cause for disciplinary action.

NEXT BOARD MEETING

The next meeting of the Missouri Dental Board is scheduled for January 23-24, 2003. The meeting will be held in Jefferson City, Missouri. The open meeting is scheduled on Thursday, January 23rd, beginning at 1:00 p.m.

The meeting schedule for the remainder of 2003 is as follows:

May 1-2, 2003 - Jefferson City
August 1-2, 2003 - Kansas City
October 17-18, 2003 - St. Louis

For further information regarding meeting times and locations, please feel free to contact the Board's Central Office as it gets closer to the meeting date, or visit our web site. The address is on the inside cover of this newsletter.



ANSWERS

1. **True.** 4 CSR 110-2.110 - Addressing the Public - Dentists
The disclaimer shall be a clearly legible or audible statement contained in the advertisement and shall read as follows: "... is a non-specialty interest area which is not recognized by the American Dental Association or the state of Missouri."

2. **True.** Section 332.321.2 (14) (f), RSMo
The disclaimer shall read as follows: "Notice: the following dentist(s) in this practice is (are) not licensed in Missouri as specialists in the advertised dental specialty(s) of".

3. **False.** 4 CSR 110-2.001 - Definitions
General supervision is defined as a level of supervision in which the dentist has authorized the procedure for a patient of record and which does not require the physical presence of the dentist in the treatment facility during the performance of the procedure. However, the patient must be informed that the dentist is not in the treatment facility. The authorization shall be written in the patient's record and is valid from the date of the most recent examination for a maximum of twelve (12) months. The authorization is not renewable without an examination of the patient by the dentist.

4. **True.** 4 CSR 110-2.240 - Continuing Dental Education
The records must document the licensee's attendance at the continuing education course including, but not limited to, retaining the titles of the courses taken, dates, locations, receipts, course sponsors, agendas and number of hours earned. The Board may conduct an audit of licensees to verify compliance with the continuing education requirement.

5. **False.** Sections 332.181.3 and 332.261.3, RSMo
All persons once licensed to practice dentistry or dental hygiene in Missouri are required to renew his or her license on or before the license renewal date. There is no grace period allowed by statute to renew a license. A licensee is not entitled to practice after November 30th if the license has not been renewed. Any person who practices and is not currently licensed is guilty of a class A misdemeanor.

6. **True.** Section 332.321.2 (17), RSMo
The Board may cause a complaint to be filed with the Administrative Hearing Commission seeking to discipline a licensee for the licensee's failure to maintain his or her office or offices, laboratory, equipment and instruments in a safe and sanitary condition. Terms of discipline could include singly or in combination censure, probation for up to five years, suspension for up to three years, or revocation.

7. **True.** 4 CSR 110-2.114 Patient Abandonment
Any currently licensed dentist in Missouri who moves his/her practice to a location which is inconvenient to his/her existing

patients or who ceases to practice dentistry or who shares a fee in any patient whose treating dentist moves to an inconvenient location or ceases to practice dentistry, upon request of that patient, or the person responsible for payment for that patient, shall refund an appropriate portion of the fee received for an unfinished treatment or make arrangements for the treatment to be completed by a dentist acceptable to the patient for no additional fee. The treating dentist has thirty (30) days to notify patients of their rights described herein.

8. **True.** 4 CSR 110-2.170 (2) Fees
All fees paid to the Missouri Dental Board are non-refundable. In cases where a fee has been over-paid, refunds may be issued.

9. **True.** 4 CSR 110-2.240 (2) Continuing Dental Education
Any hours acquired beyond the required number may be carried forward into the next time block not to exceed twenty-five hours for dentists and fifteen hours for dental hygienists.

10. **False.** Section 332.181.5 and .6 and Section 332.261.5 and .6, RSMo

The statutes were amended in 2001 to change the length of time that a dentist or a dental hygienist has to renew after the license expires from five years to four years. This was necessitated due to the change in the statute from a one-year renewal cycle to a two-year renewal cycle. Licensees now have two renewal cycles (4 years) to renew their license after expiration or the license is voided.



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